

PBT

PAE 2241

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**§ 2241 HABEAS CORPUS PETITION FORM**  
**TO BE USED BY PRISONERS IN ACTIONS UNDER 28 U.S.C. § 2241**

Jacob Earl Bowen

Inmate/Alien # 1994-2165

Berks County Jail

1287 County Welfare Rd.

Leesport, P.A. 19533-9397

(Enter full name of Petitioner, prison number or alien [A] number, if applicable, AND address of place of confinement.)

**19 4646**

vs.

CASE NO: 1441-19  
(To be assigned by Clerk)

Lehigh County Clerk of Courts

Lehigh County Adult  
Probation

(Enter name and title of each Respondent. If additional space is required, use the blank area below and directly to the right.)

**FILED**  
2019 OCT - 7 AM 8:04  
CLERK OF COURTS  
CRIMINAL-JUVENILE  
LEHIGH COUNTY, PA

**ALL APPLICANTS MUST COMPLETE THIS ENTIRE FORM**

**ANSWER ALL OF THE FOLLOWING:**

1. This petition concerns (check where applicable).

- (a) ☐ a conviction  
 (b) ☐ a sentence  
 (c) ☐ pre-trial detention  
 (d) ☐ prison disciplinary action or other action resulting in lost gain time credits  
 (e) ☐ parole  
 (f) ☐ immigration / removal  
 (g) ☐ Bureau of Prisons sentence calculation or loss of good-time credits.  
 (h) ☒ other (explain): Held on detainer for probation violation

2. Provide the following information regarding the conviction(s) and sentence(s) for which you are presently incarcerated:

- (a) Name(s) and location(s) of court: District Magistrate / Cooperburg, P.A.  
 (b) Number(s): 1442-19  
 (c) Charge(s) for which you were convicted: Summary - Harassment  
Summary - Disorderly Conduct.

(d) What was your plea? (Check one)

- (1) Not Guilty ☐  
 (2) Guilty ☒  
 (3) Nolo contendere ☐

(e) Did you appeal from the judgment of conviction? Yes ☐ No ☒

3. If you did appeal, answer the following:

- (a) Name of Court: NA Case # \_\_\_\_\_  
 (b) Result: NA  
 (c) Date of opinion and mandate (citation, if known): NA

4. Claims that challenge your conviction or imposition of sentence can only be raised by petition under 28 U.S.C. § 2254 (to challenge a state conviction or sentence) or a motion under § 2255 (to challenge a federal conviction or sentence) unless the § 2254 or § 2255 motion is inadequate or ineffective to test the legality of your detention. If any of the grounds raised above challenge your conviction or sentencing:

(a) Have you filed a motion under 28 U.S.C. § 2254 or § 2255?

Yes ☐ No ☒

If yes, please provide the case #, where filed, relevant date(s), and the results:

NA -

(b) Explain why the remedy under § 2254 or § 2255 was or is inadequate or ineffective:

NA -

5. Are you currently represented by counsel in this case or in any other court case?

Yes ☐

No ☒

If yes, please explain:

NA -

6. If this case concerns removal proceedings

(a) Date of final order of removal:

NA -

(b) Did you file an appeal with Board of Immigration Appeals?

Yes ☐

No ☒

7. In the spaces below, set forth every ground which supports your claim that you are incarcerated unlawfully. Briefly summarize the specific facts in support of each ground raised. Conclusions that are not supported by specific facts are insufficient. You may attach additional pages if necessary to raise additional grounds or provide additional facts. Do not cite any law in your statement of facts.

(a) Ground One:

I have not been notified of my violations at all.

Supporting FACTS (state briefly without citing cases or law).

I have had detainee from Tehach County since arrest 9-5-19 and have not been notified of said violations.

Exhaustion:

[1] Have you presented Ground One to a state or federal court or, to the Bureau of Prisons, either through the prison grievance system or other administrative proceeding?

Yes ☐ No ☒

If yes, please provide the results of the proceeding(s) and the relevant date(s).

Include any appeals: NA -

[2] (Answer only if you are challenging an issue related to removal (immigration) proceedings) - Did you present Ground One to the Board of Immigration Appeals?

Yes ☐ No ☒

If yes, please provide the results of the proceeding(s) and the relevant date(s).

NA -

(b) Ground Two. I have been held on Detainer from Lehigh County on Probation Violation since arrest on 9-5-19 and not seen a Judge on said violations since.

Supporting FACTS (state briefly without citing cases or law): Since 9-5-19

I have not seen Judge from Lehigh County on detainer for probation Violation for probation hearing as of yet.

Exhaustion:

- [1] Have you presented Ground Two to a state or federal court or, to the Bureau of Prisons, either through the prison grievance system or other administrative proceeding?

Yes ☐ No ☒

If yes, please provide the results of the proceeding(s) and the relevant date(s).

Include any appeals: NA -

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- [2] (Answer only if you are challenging an issue related to removal (immigration) proceedings) - Did you present Ground Two to the Board of Immigration Appeals?

Yes ☐ No ☒

If yes, please provide the results of the proceeding(s) and the relevant date(s).

NA

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(c)

Ground Three: NA -

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Supporting FACTS (state *briefly* without citing cases or law): NA -

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Exhaustion:

- [1] Have you presented Ground Three to a state or federal court or, to the Bureau of Prisons, either through the prison grievance system or other administrative proceeding?

Yes ☐ No ☒

If yes, please provide the results of the proceeding(s) and the relevant date(s).  
Include any appeals: NA -

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- [2] (Answer only if you are challenging an issue related to removal (immigration) proceedings) - Did you present Ground Three to the Board of Immigration Appeals?

Yes ☐ No ☒

If yes, please provide the results of the proceeding(s) and the relevant date(s). NA -

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(d) Ground Four: NA -

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Supporting FACTS (state *briefly* without citing cases or law). NA -

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## Exhaustion:

- [1] Have you presented Ground Four to a state or federal court or, to the Bureau of Prisons, either through the prison grievance system or other administrative proceeding?

Yes ☐ No ☒

If yes, please provide the results of the proceeding(s) and the relevant date(s).

Include any appeals: NA -

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- [2] (Answer only if you are challenging an issue related to removal (immigration) proceedings) - Did you present Ground Four to the Board of Immigration Appeals?

Yes ☐ No ☒

If yes, please provide the results of the proceeding(s) and the relevant date(s)

NA -

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. WHEREFORE, based upon the grounds raised above, Petitioner prays that the court will grant the following relief:

I ask that the said Court  
of Lehigh County P.A. will transport  
me to the Lehigh County Prison to be  
held and schedule a gagnot 1 and gagnot  
2 immediately to resolve what ever  
violation may be lodged for expedite release  
so I can get help for my drug addiction.

## DECLARATION

I declare under penalty of perjury that I have read the above and the information contained herein is true and correct.

10-2-19

Date

Jacal Earl Bon  
Signature of Petitioner

**IF MAILED BY PRISONER:**

I declare or state under penalty of perjury that this petition was (*check one*)

☐ delivered to prison officials for mailing, or

☒ deposited in the prison's internal mail  
system on. 10-2-19

Date

  
Signature of Petitioner



PAE 2241 Inst.

**Instructions for Filing a Petition Under 28 U.S.C. § 2241  
for Writ of Habeas Corpus by a Person in Custody  
in the United States District Court for the Eastern District of Pennsylvania**

1. **Who May Use This Form.** If you are detained in the Eastern District of Pennsylvania, you may use this form to challenge your detention by federal immigration authorities, to challenge the execution of your federal sentence by the United States Bureau of Prisons, or to challenge your pre-trial detention by federal or state authorities. You are asking for release or earlier release on the ground that your detention or future detention violates the United States Constitution or other federal law.

You should not use this form to challenge a state or federal judgment of conviction or sentence. If you are challenging a conviction or sentence entered against you by a state court, you should file a petition under 28 U.S.C. § 2254 for writ of habeas corpus by a person in state custody. If you are challenging a judgment of conviction or sentence entered by a federal court, you should file a motion under 28 U.S.C. § 2255 to vacate sentence in the federal court that entered the judgment.

Any claim that may be brought or has already been brought in a petition under 28 U.S.C. § 2254 may not be brought using this form unless it appears that the § 2254 petition is inadequate or ineffective to test the legality of your detention. Any claim that may be brought or has already been brought in a motion under 28 U.S.C. § 2255 may not be brought using this form unless it appears that the § 2255 motion is inadequate or ineffective to test the legality of your detention. **This form should not be used in death penalty cases.** If you were sentenced to death, you are entitled to the assistance of counsel and you should request the appointment of counsel.

2. **Your Signature.** You must tell the truth and sign the form. If you make a false statement of a material fact, you may be prosecuted for perjury.
3. **The Filing Fee.** The filing fee for this action is \$5.00. If you are unable to pay the filing fee, you may request permission to proceed *in forma pauperis* as a poor person by completing and signing the Application to Proceed Without Prepaying Fees or Costs provided with the petition form. **You must have an official at the prison complete the certificate at the bottom of the application form.**
4. **Original.** You must send an **original copy**.
5. **Change of Address.** You must immediately notify the Court and respondents in writing of any change in your mailing address. Failure to notify the Court of any change in your mailing address may result in the dismissal of your case.

6. **Certificate of Service.** You must provide the respondents with a copy of any document you submit to the Court (except the initial petition and application to proceed *in forma pauperis*). Each original document (except the initial petition and application to proceed *in forma pauperis*) must include a certificate of service on the last page of the document stating the date a copy of the document was mailed to the respondents and the address to which it was mailed. Any document received by the Court who does not include a certificate of service may be stricken. A certificate of service should be in the following form:

I hereby certify that a copy of the foregoing document was mailed  
this (month, day, and year) to: 10-2-19

Name:

Lehigh County Clerk of Courts

Address:

455 Hamilton St. Allentown, PA. 18101

Attorney for Respondent(s)

Jacobi Earl Bow

Signature

7. **Exhaustion.** In order to proceed with this petition in federal court, you ordinarily must exhaust any administrative remedies available to you. If you did not fairly present each of your grounds to the appropriate court or administrative agencies, your petition may be dismissed.

**FINAL NOTE**

You should follow these instructions carefully. Failure to do so may result in your petition being stricken or dismissed by the Court. All questions must be answered concisely in the proper space on the form. If you need more space, you may attach additional pages. But the form must be completely filled in to the extent applicable. If you attach additional pages, be sure to identify which section of the petition is being continued and number all pages.

PBT

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CASE MANAGEMENT TRACK DESIGNATION FORM**

Bowen

CIVIL ACTION

v.

NO. **19 4646**

Lehigh County Clerk of Courts, et. al.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. **2241** ☒
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ☐
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ☐
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ☐
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases. ☐
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ☐

OCT 10 2019

Date

*Daniel McGowan*

Deputy Clerk

Attorney for

Telephone

FAX Number

E-Mail Address

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

19

4646

## DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: 1287 County Welfare Road, Leesport, PA 19533

Address of Defendant:

Place of Accident, Incident or Transaction: Lehigh

## RELATED CASE, IF ANY:

Case Number: Judge: Date Terminated

Civil cases are deemed related when *Yes* is answered to any of the following questions

- |   |   |                              |                             |
|---|---|------------------------------|-----------------------------|
| 1 | Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 2 | Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?            | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 3 | Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4 | Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

I certify that, to my knowledge, the within case ☐ is / ☐ is not related to any case now pending or within one year previously terminated action in this court except as noted above

DATE 10/10/2019

*Daniel McCann*  
Attorney-at-Law / Pro Se Plaintiff

Attorney I D # (if applicable)

## CIVIL: (Place a ✓ in one category only)

## A. Federal Question Cases:

- ☐ 1 Indemnity Contract, Marine Contract, and All Other Contracts
- ☐ 2 FEELA
- ☐ 3 Jones Act-Personal Injury
- ☐ 4 Antitrust
- ☐ 5 Patent
- ☐ 6 Labor-Management Relations
- ☐ 7 Civil Rights
- ☒ 8 Habeas Corpus 2241
- ☐ 9 Securities Act(s) Cases
- ☐ 10 Social Security Review Cases
- ☐ 11 All other Federal Question Cases  
(Please specify) \_\_\_\_\_

## B. Diversity Jurisdiction Cases:

- ☐ 1 Insurance Contract and Other Contracts
- ☐ 2 Airplane Personal Injury
- ☐ 3 Assault, Defamation
- ☐ 4 Marine Personal Injury
- ☐ 5 Motor Vehicle Personal Injury
- ☐ 6 Other Personal Injury (Please specify) \_\_\_\_\_
- ☐ 7 Products Liability
- ☐ 8 Products Liability - Asbestos
- ☐ 9 All other Diversity Cases  
(Please specify) \_\_\_\_\_

## ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration)

I, \_\_\_\_\_, counsel of record or pro se plaintiff, do hereby certify

☐ Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs

☐ Relief other than monetary damages is sought.

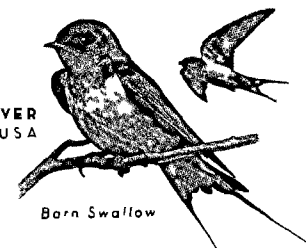
DATE \_\_\_\_\_

Attorney-at-Law / Pro Se Plaintiff

Attorney I D # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F R C P 38


**FOREVER**  
USA

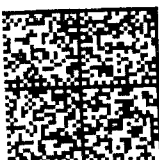


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Allentown, P. A.  
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**Clerk of Judicial Records (jch)**  
**Lehigh County Courthouse**  
**455 W. Hamilton Street**  
**Allentown PA 18101-1614**

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**EASTERN DISTRICT OF PENNSYLVANIA**  
**OFFICE OF THE CLERK**  
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DISTRICT OF PA  
THE CLERK  
SONER CLERKS  
ET ST, RM 2609  
HIA PA 19106

